



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: April 11, 2013

TO: Bruce Hoesly, Legislative Reference Bureau
1 East Main Street, Suite 200

FROM: Ben Brancel, Secretary

SUBJECT: **Ch. ATCP 70 – Discretion in Enforcement of Rule Violations by Small Businesses;
Final Rule (Clearinghouse Rule #12-043)**

The Department of Agriculture, Trade and Consumer Protection (DATCP) hereby submits the following rule for publication:

CLEARINGHOUSE RULE #: 12-043

SUBJECT: Discretion in enforcement of rule violations by small businesses

ADM. CODE REFERENCE: ATCP 1

DATCP DOCKET #: 12-R-03

We are enclosing a copy of the final rule, as adopted by DATCP. We are also providing the following information for publication with the rule, as required by s. 227.114(6), Stats.

Business Impact Analysis (Summary)

This rule will not increase any costs for businesses. The rule may produce an economic benefit for small businesses that commit minor violations of DATCP regulations when discretion is exercised to forego formal sanctions or to seek reduced sanctions.

Comments from Legislative Committees (Summary)

On January 29, 2013, DATCP transmitted the above rule for legislative committee review. The rule was assigned to the Assembly Committee on Small Business Development and the Senate Committee on Agriculture, Small Business and Tourism. Neither committee took action. The Senate and Assembly referred the rule to the Joint Committee for Review of Administrative Rules (JCRAR) on March 11, 2013. JCRAR took no action on the rule.

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